

STATE BOARD OF LAND COMMISSIONERS

Philip E. Batt, Governor and President of the Board
Pete T. Cenarrusa, Secretary of State
Alan G. Lance, Attorney General
J. D. Williams, State Controller
Anne C. Fox, Superintendent of Public Instruction

Stanley F. Hamilton, Secretary to the Board

MINUTES SPECIAL LAND BOARD MEETING September 17, 1998 8:00 AM

The special meeting of the Idaho State Board of Land Commissioners was held on September 17, 1998, in Boise, Idaho. The Honorable Philip E. Batt presided. The following members were present:

Honorable Secretary of State Pete T. Cenarrusa
Honorable Attorney General Alan G. Lance
Honorable Superintendent of Public Instruction Anne C. Fox

Secretary Stanley F. Hamilton

State Controller J.D. Williams participated in the special meeting through teleconferencing.

The motion was made by Attorney General Lance and seconded by Superintendent Fox to resolve into executive session.

The following items were discussed during the Executive Session:

1. Triumph Mine tailings information update
Presented by Nick Krema, Deputy Attorney General, Natural Resources Division
2. Erickson v. State information update
Presented by Steve Schuster, Deputy Attorney General, Natural Resources Division
3. Priest Lake cases
Presented by Steve Schuster, Deputy Attorney General, Natural Resources Division

The Land Board returned to regular session at 8:40 a.m. on a motion by Superintendent Fox and seconded by Attorney General Lance.


Attorney General Lance moved to reject the offer of settlement in the matter of the Priest Lake cases as previous described. State Controller Williams seconded the motion. Motion carried on a vote of 5-0.

Director Hamilton said he felt that Steve Schuster should be commended for the results in the Erickson case. He said that it was a long, difficult case. Governor Batt concurred.

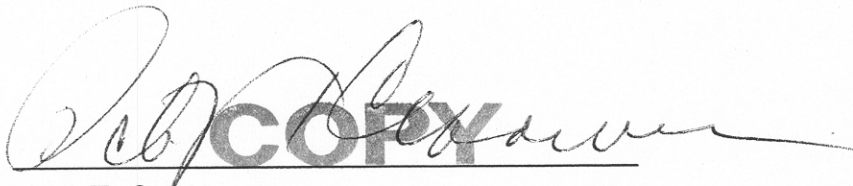
Governor Batt asked what the status of appeal was in this case. Director Hamilton stated that the issue in the Lake Coeur d'Alene case was the state thought the lake level was 2128 feet msl and the citizens, for years, have thought it was 2121 feet msl. The court ruled 2121 feet msl. Steve Schuster said, however, that the Supreme Court said the plaintiffs didn't prove 2121 feet msl and the state produced the only substantial competent evidence of 2128 feet msl.

Meeting adjourned at 9:00 a.m.

IDAHO STATE BOARD OF LAND COMMISSIONERS

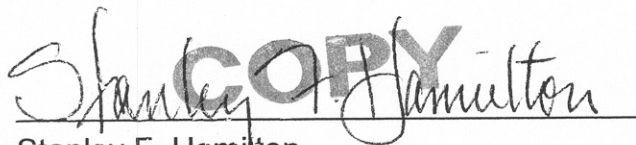
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President, State Board of Land Commissioners and
Governor of the State of Idaho

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Pete T. Cenarrusa
Secretary of State



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Stanley F. Hamilton
Director